

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARYKATE GRAY,**  
**Plaintiff,**

**CIVIL ACTION**

**v.**

**GREAT VALLEY SCHOOL DISTRICT,  
GREAT VALLEY HIGH SCHOOL,  
ALAN LONOCONUS, ED.D.,  
DR. DAN GOFFREDO,  
DR. JANE TRIMBLE,  
MARSHALL HOFFRITZ,  
BETTY BYRNE,  
MICHAEL FLICK, and  
MEREDITH BEBEE,**  
**Defendants.**

**NO. 14-5659**

**ORDER**

**AND NOW**, this 6th day of April, 2015, upon consideration of Defendants' Partial Motion to Dismiss Pursuant to F.R.C.P. 12(b)(6) (Document No. 15, filed December 22, 2014); Plaintiff's Repsonse [sic] in Opposition to Defendants' Rule 12(b)(6) Partial Motion to Dismiss (Document No. 22, filed February 13, 2015); Defendants' Reply Brief in Support of Partial Motion to Dismiss Pursuant to F.R.C.P. 12(b)(6) (Document No. 25, filed February 26, 2015); Motion to Dismiss of Defendant, Dr. Jane Trimble Pursuant to Fed.R.C.P. 12(b)(6) (Document No. 16, filed December 22, 2014); and Plaintiff's Response in Opposition to Defendant Trimble's Rule 12(b)(6) Motion to Dismiss (Document No. 21, filed February 6, 2015), **IT IS ORDERED** that, for the reasons stated in the accompanying Memorandum dated April 6, 2015, Defendants' Partial Motion to Dismiss and Dr. Jane Trimble's Motion to Dismiss are **GRANTED IN PART AND DENIED IN PART**, as follows:

1. Defendants' Partial Motion to Dismiss (Document No. 15) is **GRANTED** as follows:

- a) Plaintiff's claims against defendants Alan Lonoconus, Dan Goffredo, Michael Flick, Marshall Hoffritz, Betty Byrne, Meridith Bebee, and Jane Trimble in their official capacities are **DISMISSED WITH PREJUDICE**;
- b) All of plaintiff's claims against defendant Great Valley High School are **DISMISSED WITH PREJUDICE**;
- c) All of plaintiff's state law tort claims against defendant Great Valley School District are **DISMISSED WITH PREJUDICE**;
- d) Plaintiff's claim for punitive damages against defendant Great Valley School District is **DISMISSED WITH PREJUDICE**;
- e) Count VIII of the Complaint, which sets forth a separate cause of action for punitive damages, is **DISMISSED WITHOUT PREJUDICE** to plaintiff's right to file, within twenty (20) days, an amended complaint in which punitive damages are claimed in each count where warranted by the facts and applicable law;
- f) Any claims for monetary damages under Article I, Section 8 of the Pennsylvania Constitution are **DISMISSED WITH PREJUDICE**;
- g) Plaintiff's claim of negligent infliction of emotional distress against defendants Alan Lonoconus, Dan Goffredo, Michael Flick, Marshall Hoffritz, Betty Byrne, and Meridith Bebee is **DISMISSED WITH PREJUDICE**;
- h) Plaintiff's claims of assault, battery, intentional infliction of emotional distress, false imprisonment, and civil conspiracy against defendants Alan Lonoconus, Dan Goffredo, Michael Flick, and Meridith Bebee are **DISMISSED WITHOUT PREJUDICE** to plaintiff's right to file, within

twenty (20) days, an amended complaint with respect to those claims if warranted by the facts and applicable law;

2. Defendants' Partial Motion to Dismiss (Document No. 15) is **DENIED** in all other respects;

3. That part of Dr. Jane Trimble's Motion to Dismiss (Document No. 16) which seeks dismissal of plaintiff's claim of negligent infliction of emotional distress is **GRANTED**, and that claim is **DISMISSED WITH PREJUDICE**; and

4. Dr. Jane Trimble's Motion to Dismiss (Document No. 16) is **DENIED** in all other respects.

**IT IS FURTHER ORDERED** that defendant Great Valley High School is **DISMISSED** from the case, and shall be **REMOVED** from the caption.

**IT IS FURTHER ORDERED** that a preliminary pretrial conference will be scheduled in due course.

**BY THE COURT:**

/s/ Hon. Jan E. DuBois  
**DuBOIS, JAN E., J.**